

Sick Leave Definitions in the Family Care Act

December 2005

L&I is amending the definitions of sick leave in Chapter 296-130 WAC, Family Care, to:

- **Specifically include “adoptive parents” as covered family members for an employee’s use of sick leave**
- **Changing the definition of “sick leave” to include certain disability plans**

What is the Family Care Act?

The Department of Labor and Industries administers the Family Care Act, which requires that employees be allowed to use sick leave or other paid time off to care for:

- Children with health conditions that require treatment or supervision. Preventative health visits for a child and care for an adult son or daughter with a disability are also included.
- Spouses, parents, parents-in-law, or grandparents with serious health conditions or emergency health conditions.

“Sick leave or other paid time off” is defined as time allowed under the terms of an appropriate collective bargaining agreement or employer policy as it applies to an employee for illness, vacation and personal holiday.

What is the issue?

The 2005 Legislature amended the Family Care Act to:

- Specifically name “adoptive parents” as covered family members.
- Amend the definition of sick leave to include the use of leave under certain disability plans. Plans that are governed by ERISA and administered through an insurance company are exempt from this requirement.

The amendments are necessary in order to be consistent with the statute.

What is the status of the proposed rule?

L&I held stakeholder meetings with both business and labor in July and October. A public hearing will be held March 23, 2006 at the Tumwater building beginning at 8:30 am. The rule will become final in April 2006.

For more information:

For questions about Family Care, please contact [Mary Miller](#), Family Care Specialist, at 360-902-6041.

For questions about the rule adoption process, please contact [Sally Elliott](#), Rules Manager, at 360-902-6411.